

SENATE BILL No. 287

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-2-17.

Synopsis: Employment preference for Indiana citizens. Requires that whenever an employer makes an employment decision for a job located or based in Indiana after June 30, 2016, the employer shall give a preference in employment to an Indiana resident who is a citizen of the United States. Provides that an individual may not receive the preference unless the individual meets the job related qualifications for the position and has resided in Indiana for at least five years. Provides that the employer may require that an individual provide documentation to establish that the individual is entitled to the preference. Requires the department of labor to receive, investigate, and attempt to resolve complaints concerning alleged violations. Requires employers to provide notice of the preference in a format accessible to applicants and employees, and requires the department of labor to develop language for use by employers in providing the notice.

Effective: July 1, 2016.

Delph

January 7, 2016, read first time and referred to Committee on Pensions & Labor.



PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 287

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-2-17 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2016]:
4 **Chapter 17. Indiana Citizens' Preference Employment Policy**
5 **Sec. 1. As used in this chapter, "department" refers to the**
6 **department of labor created under IC 22-1-1-1.**
7 **Sec. 2. (a) As used in this chapter, "employer" means a person:**
8 **(1) doing business in Indiana; and**
9 **(2) employing one (1) or more persons in the state.**
10 **(b) The term includes:**
11 **(1) the state or a state agency (as defined in IC 6-1.1-1-18); or**
12 **(2) a political subdivision (as defined in IC 36-1-2-13).**
13 **Sec. 3. As used in this chapter, "employment decision" includes**
14 **hiring, promotion, or retention during a reduction in force.**
15 **Sec. 4. (a) Except as provided in subsection (b) and**
16 **notwithstanding any other law, whenever an employer makes an**
17 **employment decision for a job located or based in Indiana after**



1 June 30, 2016, the employer shall give a preference to an Indiana
2 resident who is a citizen of the United States.

3 (b) An individual may not receive the preference described in
4 subsection (a) unless the individual:

5 (1) meets the job related qualifications established by the
6 employer for the position; and

7 (2) has resided in Indiana for at least five (5) years.

8 (c) The employer may require that an individual provide
9 documentation to establish that the individual is entitled to the
10 preference described in subsection (a).

11 Sec. 5. (a) The department shall receive, investigate, and
12 attempt to resolve complaints concerning alleged violations of this
13 chapter.

14 (b) The department may adopt and enforce rules under
15 IC 4-22-2 that are necessary to carry out this chapter.

16 Sec. 6. (a) Each employer subject to this chapter shall provide
17 notice of this chapter in a format accessible to applicants and
18 employees.

19 (b) The department shall develop language for the use of an
20 employer providing notice that complies with this chapter and any
21 rules adopted under section 5(b) of this chapter.

22 Sec. 7. This chapter does not apply to or abrogate any written
23 or oral contract or agreement in effect on July 1, 2016.

